1900 ONE AMERICAN 600 CONGRESS AVE AUSTIN, TX 78701-32 TELEPHONE (512) 418-3000 FACSIMILE (512) 474-7577

ARNOLD, WHITE & DURKEE

A PROFESSIONAL CORPORATION

Attorneys at Law

POST OFFICE BOX 4433

HOUSTON, TX 77210-4433

750 BERING DRIVE, SUITE 400 HOUSTON, TX 77057-2198

> TELEPHONE (713) 787-1400 FACSIMILE (713) 789-2679

AF/Gp 1633#

800 QUAKER TOWER 321 NORTH CLARK STREET CHICAGO, IL 60610-4714 TELEPHONE (312) 744-0090 FACSIMILE (312) 755-4489

2001 JEFFERSON DAVIS HIGHWAY SUITE 401 ARLINGTON, VA 22202-3604 TELEPHONE (703) 415-1720 FACSIMILE (703) 415-1728

ARCD:086

(512) 418-3184

ISS LINFIELD DRIVE MENLO PARK, CA 94025-3741 TELEPHONE (415) 614-4500

FACSIMILE (415) 614-4599

4850 FIRST BANK PLACE 601 SECOND AVE. SOUTH

MINNEAPOLIS, MN 55402-4320 TELEPHONE (612) 321-2800

WRITER'S DIRECT DIAL:

May 8, 1998

CERTIFICATE OF MAILING

37 C.F.R 1.8 I hereby certify that this correspondence being deposited with the U.S. Postal Service as First Class addressed to: Assistant Commissioner ass Mail in an envelope of alents, Washington, D.C. 20231, on the date below

BOX AF

Assistant Commissioner for Patents Washington, DC 20231

RE:

USSN 08/289,290 for "CONSTITUTIVE GENE EXPRESSION IN CONJUNCTION WITH IONIZING RADIATION" by Weichselbaum et al. (UCHI:454)

Sir:

Enclosed for filing in the above-referenced patent application is:

MAY 9 4 1998

- (1) A Request for Oral Argument;
- (2) A check for \$135.00 as the fee for the Request for Oral Argument; and
- (3) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an

05/13/1998 RABARCA 00000019 08289290

01 FC:221

135.00 OP

ARNOLD, WHITE & DURKEE May 8, 1998 Page 2

Assistant Commissioner for Patents

overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Arnold, White & Durkee Deposit Account No. 01-2508/ARCD:086/HYL.

Respectfully submitted,

Steven L. Highlander Registration No. 37,642

SLH:lew encl.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RALPH R. WEICHSELBAUM et al.

Serial No.: 08/289,290

Filed: August 11, 1994

For: CONSTITUTIVE GENE EXPRESSION IN

CONJUNCTION WITH IONIZING

RADIATION

Group Art Unit: 1804

Examiner: B. Campell

Atty. Dkt. No.: ARCD:086/HYL

CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on the date below:

May 8, 1995

SIGNATURE

REQUEST FOR ORAL ARGUMENT

MAY 1 4 1998

Assistant Commissioner for Patents Washington, D.C. 20231

GROUP 1800

Sir:

In accordance with 37 C.F.R. § 1.194, Appellants respectfully request an oral hearing be granted in connection with the referenced appeal. A check in the amount of \$135, in accordance with 37 C.F.R. § 1.17(g), is enclosed herewith. If this check is insufficient, or inadvertently not attached, the Assistant Commissioner is authorized to deduct any required fees for any reason

relating to this document under 37 C.F.R. §§ 1.16 to 1.21 from Arnold, White & Durkee Deposit Account No. 01-2508/ARCD:086/HYL.

Respectfully submitted,

Steven L. Highlander

Reg. No. 37,642

Attorney for Applicant

ARNOLD, WHITE & DURKEE P.O. Box 4433 Houston, Texas 77210-4433 (512) 418-3000

Date:

May 8 1998